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November 21, 2016

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The Honorable Vincent L. Briccetti
United States District Judge
United States District Court
Southern District of New York
300 Quarropas Street, Room 630
White Plains, NY 10601

Re: ***Narrative Ark Entertainment LLC v. Archie Comic Publications, Inc., et al.***
Case No. 7:16-cv-06109-VB

Dear Judge Briccetti:

Pursuant to Section 6 of the Electronic Case Filing Rules & Instructions for the Southern District of New York and this Court's November 21, 2016 minute order, Dkt. No. 40, and consistent with this Court's statement of Individual Practices, Defendant Sega of America, Inc. ("Sega") respectfully requests that this Court grant Sega leave to file under seal certain documents that contain confidential information.

Sega intends to file a motion today seeking to dismiss Plaintiff Narrative Ark Entertainment LLC's ("Narrative Ark") amended complaint for lack of personal jurisdiction. In connection with this motion, Sega seeks to submit an agreement reflecting the licensing relationship between Archie Comic Publications, Inc. ("Archie") and Sega during the relevant time period. This agreement contains sensitive and confidential information about the nature of the relationship between Sega and Archie, including commercially sensitive deal terms that could cause harm to Sega and Archie if publicly disclosed.

Sega has asked counsel for Archie and Narrative Ark whether they respectively agree to Sega's request. Archie, as the other party to the agreement, has consented to this relief. Sega provided counsel for Narrative Ark with the agreement for review, and Narrative Ark has refused to consent. In any case, neither Narrative Ark nor its principal, Scott D. Fulop, were a party to the agreement, and thus Narrative Ark's consent is not necessary to determining whether Sega may file the agreement under seal.

Accordingly, Sega respectfully requests that this Court grant Sega leave to file the agreement under seal. Specifically, Sega asks this Court's permission to submit a PDF version of the agreement to the Court by email, consistent with the procedures with respect to letters containing confidential information under Section 1(A) of this Court's statement of Individual Practices. Sega will file versions of the brief and declaration in support of its dispositive motion

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on the public docket because, while these documents discuss some specific terms of the agreement, none of the terms discussed are commercially sensitive.

If the Court seeks an alternate procedure for Sega to submit these materials under seal, please advise Sega of what procedures the Court prefers for the submission of these materials.

Sincerely,

FENWICK & WEST LLP

/s/ Armen Nercessian
Armen Nercessian

cc: All counsel of record via ECF